



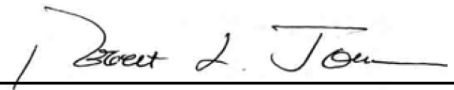
CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed January 27, 2022


United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

IN RE:

REAGOR-DYKES MOTORS, LP,

Debtor.

§
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§

Case No. 18-50214-rlj-11
(Jointly Administered)

**AGREED ORDER REGARDING THE PREPETITION CLAIMS
OF PATTI SUE NOEL, INDEPENDENT EXECUTOR,
AND JACK MORRIS FORD LINCOLN MERCURY, INC.**

Before the court are the Reagor-Dykes Auto Group Creditor's Liquidating Trust's ("***the Trust***") Sixth Omnibus Objection to Claims [Doc. No. 2287] ("***the Claim Objection***") and the Response of Patti Sue Noel, Independent Executor, *et al.* to the claim objection [Doc. No. 2329] ("***the Noel Response***"). As indicated by the signatures below, the trustee of the Trust and Ms. Noel, in her representative capacity ("***the Claimant***") have agreed to resolve the Claim Objection and otherwise to allow Claimant's claims as stipulated and agreed below.¹

¹ Patti Sue Noel, Independent Executor, is the successor in interest to any claims held by J.M.I (Jack) Morris, Deceased, and by Jack Morris Ford Lincoln Mercury, Inc. In her representative capacity, Ms. Noel is referenced here as "***Claimant***".

TERMS OF STIPULATION AND AGREEMENT

1. Claimant timely filed claims as described in Paragraph 7 of the Claim Objection. Those claims were initially filed as redundant or duplicative, secured claims against multiple estates; however, the parties stipulate and agree that there is no longer any property of the estate securing such claims.

2. The above referenced claims were timely filed however, they are overlapping and redundant. The Claimant should be allowed one single general unsecured claim.

3. Accordingly, Claimant is deemed to have one timely filed, allowed unsecured claim against the Trust to be treated in Class 11 pursuant to the terms and conditions of the plan confirmed in this case, in the amount of **\$150,970.73**.

4. This order resolves the claims originally filed as Claim Number 67 in Case Number 18-50214; Claim Number 70 in Case Number 18-50214; and Claim Number 37 in Case Number 18-50217. For procedural purposes, Claim Number 67 is allowed as a general unsecured claim (“***the Prepetition Claim***”); Claim Number 70 and Claim Number 37 are disallowed as duplicative and should be expunged.²

5. The parties further stipulate that if and to the extent Claimant makes any monetary recovery from any third person (*e.g.*, Bart Reagor or Rick Dykes) on the underlying obligation giving rise to the Prepetition Claim prior to any distribution on account of the Prepetition Claim, the face amount of the Prepetition Claim will be reduced accordingly.

6. This court has jurisdiction and constitutional authority to grant this relief and to the extent necessary, each of the undersigned parties consents to the entry of this order as a final order.

² Patti Sue Noel, Independent Executor, was also allowed a post-petition administrative claim in the net amount of \$70,000.00 (see Doc. No. 1906), on which Ms. Noel has received two interim distributions. This order does not affect Ms. Noel’s administrative claim.

Order

The Court finds that the stipulations and agreement of the parties are within the sound judgment of the trustee of the Trust and are otherwise in the best interest of the parties and the estate. The Claim Objection and the Noel Response were each timely filed and served, and no other party in interest has objected to or requested a hearing on the Claim Objection as it pertains to Claimant's claims.

ACCORDINGLY:

IT IS THEREFORE ORDERED, that:

1. Patti Sue Noel, Independent Executor, is granted an allowed, unsecured claim against the Trust in the amount of **\$150,970.73** to be treated in Class 11 pursuant to the terms and conditions of the plan confirmed in this case, subject only to paragraph 5 of the stipulations set forth above.
2. For administrative purposes, Claimant's **Claim Number 67** filed in Case Number 18-50214, is **allowed** as a general unsecured claim in and against the Trust, and Claim Numbers 70 (18-50214) and 37 (18-50217) are disallowed as redundant or duplicative claims and are expunged.
3. All other relief as against Claimant is overruled and denied.

End of Order

APPROVED, SITUPLATED, AND AGREED:

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